



Appl. Ser. No. 09/812,709
Appeal Brief dated March 15, 2006

PATENT
Atty. Dkt. No. 81747.0192
Customer No. 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Masahiro MINOWA

Serial No.: 09/812,709

Filed: March 19, 2001

For: RECEIPT PRINTING AND ISSUING
SYSTEM, AN ADDED-VALUE PRINTING
PROCESSING METHOD AND A DATA
STORAGE MEDIUM USING THE SAME

Art Unit: 2145

Examiner: Ajay M. Bhatia

Confirmation No. 9714

APPEAL BRIEF

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Dear Sir:

This is an Appeal from the Examiner's Final Rejection of Claims 1-20. The Final Rejection issued on December 15, 2005, and the Notice of Appeal is submitted herewith. Hence, this appeal brief is timely filed. The Commissioner is authorized to charge any deficiency in any fee or credit any excess payment to Deposit Account No. 50-1314.

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REAL PARTY IN INTEREST

The real party in interest is Seiko Epson Corporation.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

STATUS OF CLAIMS

Claims 1-20 were originally pending in the present application. Claims 1, 9, 19, and 20 have been amended. Therefore, this Appeal is directed to the final rejection of Claims 1-20, as previously presented, a copy of which appears as an Appendix to this Appeal Brief.

STATUS OF AMENDMENTS

The Final Office Action is dated December 15, 2005. No amendment has been filed responding to the Final Office Action. A Notice of Appeal is submitted with the current submission.

SUMMARY OF INVENTION

The present invention relates to a receipt to a receipt printing and issuing system, and a printing method, for printing information of added value. The present invention provides an apparatus and method for printing of information of added value, such as advertisement, coupon, introduction, or event advertisement ("advertising information" or "additional information"), on a receipt or queuing number ticket ("receipt"). The printing system may be banks, securities companies, an ATM machine, parking ticket vending systems, and hospitals issuing numbers, or point-of-Sales (POS) systems or sales register printers issuing receipts. (*See, Specification; Page 1, 1st Para.; Page 4, 2nd Para. from the bottom*).

The conventional POS system printing advertising information on a receipt may include, for example, advertising generated by customer information input by the convenience store or store promotion events. The provided additional information may be of little interest to the customers receiving the additional information.

If the additional information printed on the receipt is of real interest to the customer receiving the receipt, the customer can be expected to read the information provided with care, rendering the advertisement effective. (*See, Specification; Page 2, 1st and 2nd Para.*).

Accordingly, an object of the present invention is to provide a receipt printing and issuing system, advertising method, and data storage medium capable of providing advertising information of greatest possible interest to the customer to whom the printed medium is provided. (*See, Specification; Page 2, 6th Para.*).

Another object of the present invention is to provide a receipt printing and issuing system and advertising method that can be deployed in any system that generates a printed medium, and is therefore applicable but not limited to a POS system. (*See, Specification; Page 2, 7th Para.*).

According to one aspect of the present invention, a receipt printing and issuing system has an input device, printing device, display device, and storage device for printing other information in addition to required print information. The system includes (a) a memory control means for receiving and storing advertising or other additional information, and reading the stored additional information as requested, (b) a display control means for displaying from the stored additional information, a list of additional information satisfying a particular condition, (c) a selection control means for receiving input selecting additional information from the

displayed list, and reading the additional information specified by the input, and (d) a print data generating means for generating and sending to the printing device as print data, the additional information read by the selection control means; and this prints the other information in addition to the information that must normally be printed. With this aspect of invention, customers can select additional information that the customers have interest therein, thus enabling effective advertising. (*See, Specification; Page 2, last Para.*).

In another aspect of the invention, a receipt printing and issuing system has a control means for receiving and storing addition information input over a network. This aspect allows rapid update of the additional information. (*See, Specification; Page 3, 2nd Para.*).

In the third aspect of the present invention, the selection control means is a means for selecting at least one item of additional information. It is therefore possible to provide at the same time plural additional information entries of interest to a single customer, and advertisement can therefore be presented more frequently. (*See, Specification; Page 2, 3rd Para.*).

In the forth aspect of the present invention, the selection control means is a means having a function for automatically reading specific additional information according to a specific rule, when a specific time has elapsed. A drop in system output as a result of waiting for a selection can this be appropriately prevented. (*See, Specification; Page 3, 4th Para.*).

In the fifth aspect of the present invention, the display control means is a means further includes a function for selectively changing the specific condition for generating a list of additional information presented on the display device. In this case, the operator at a convenience store, for example, enters customer data so that

the customer data can be used to display a list of additional information thought to be most appropriate to the customer. The hit ration of advertisement matching customer interests can thus be improved. (*See, Specification; Page 3, last Para.*).

In the sixth aspect of the invention, the print data generating means further includes a function for generating print data reducing plural items of additional information read by the selection control means, to a specific ration when plural items of additional information are selected. More additional information can thus be printed and customer wants can be better addressed. Advertisement can also be presented without losing advertising opportunities. The required printing are can also be reduced. (*See, Specification; Page 4, 1st Para.*).

In the seventh aspect of the invention, the receipt printing and issuing system is a purchase transaction processing system further including (e) an accounting information control means for registering a product purchased by a customer, and outputting accounting information. The print data generating means generates print data combining accounting information output by the accounting information control means with the additional information read by the selection control means for printing as a receipt, and sends the print data to the printing device. This aspect of the invention is clearly applicable to a sales accounting system. While a POS system is typical of such sales accounting system, the invention shall not be limited to use in POS systems, and can be used in other transaction systems, such as those used in a hospital or pharmacy. (*See, Specification; Page 4, 2st Para.*).

In the eighth aspect of the invention, the receipt printing and issuing system is a customer ticket issuing system further including (f) a queuing number control means for managing queuing numbers and outputting a queuing number as print data. The print data generating means generates and sends to the printing device,

the print data combining output of the queuing number control means and the additional information read by the selection control means. (*See, Specification; Page 4, 3rd Para.*).

The present invention is directed to a receipt printing and issuing system for a payment transaction. The system has an input devices for an operator, a printing device, a display device for the operator, and a storage device. The system further includes a memory control device for receiving and storing one or more advertisements or other additional information to be printed on a receipt paper. The additional information is information other than the required information. A display/input device interacts with a customer. A control device generates a list of items of the additional information to be displayed on the display/input device according to a predetermined condition. A selection control device receives one or more items selected through the display/input device. In the event selection input waiting time elapses, and there is no selection by the customer, the selection control device can function to select the additional information from a list of items of the additional information. A print data generating device for generating print data to be printed on the receipt paper by merging original receipt information, according to the payment transaction and the additional information designated by the one or more selected items in the list, and sends the merged information to the printing device. (*See, Appendix; Claim 1*).

The present invention is also directed to an additional information printing method using a receipt printing and issuing system having an input device, printing device, display device, and storage device for storing advertising or other additional information, and printing the additional information in addition to information for a primary purpose including a payment transaction, The printing method includes (a) displaying a list of printable additional information to a customer including one or more advertisements, wherein the additional information is information other than

the required information; (b) receiving input from the customer selecting additional information including the one or more advertisements included in said displayed list, wherein in the event selection input waiting time elapses, and there is no selection by the customer, a selection control device can function to select the additional information from a list of items of the additional information; (c) reading the additional information specified by said input; (d) generating print data to be printed on receipt paper by merging original receipt information according to the payment transaction and the read additional information designated by the one or more selected items in the list; and (e) sending the generated print data to the printing device. (*See, Appendix; Claim 9*).

ISSUES

There is one issue on Appeal:

I. Whether the Final Office Action dated December 15, 2005 ("Final Office Action") properly rejects Claims 1-20 under 35 U.S.C. §102(b) over U.S. Patent No. 5,832,457 to O'Brien ("O'Brien").

GROUPING OF CLAIMS

The rejected claims stand or fall together.

ARGUMENT

I. Rejection of Claims 1-20.

Applicant respectfully submits that O'Brien does not anticipate or render obvious Claims 1-20. In particular, the applied O'Brien reference does not disclose or suggest, "a control device for generating a list of items of the additional information to be displayed on the display/input device according to a predetermined condition," as required by independent Claim 1.

O'Brien is directed to a method and apparatus generating printable discount coupons in a retail store, conditioned on some pre-selected combination of customer

attributes and past and present customer shopping activities. According to O'Brien, a POS system having multiple cash registers is provided. The Office Action identifies the POS system as the display/input device for interacting with a customer recited in amended independent Claim 1. (*See, Office Action; Page 3, lines 1-2; O'Brien; Col. 11, lines 28-36*).

The Office Action also cites portions of O'Brien (*Col. 6, lines 24-60*) as disclosing the control device for generating a list of items of the additional information to be displayed on the display/input device according to a predetermined condition, recited in independent Claim 1. (*See, Office Action; Page 3, lines 3-5*). Appellant notes the cited portion of O'Brien is directed to generating a list of target customers for a specific promotional program. For example, if a store were to open a new delicatessen department, it could later identify those customers who had not used it, and target them for a special discount promotion. (*See, O'Brien; Col. 6, lines 32-37*).

In contrast, the Specification of the present invention discloses that additional information may include information of added value, such as an advertisement, coupon, or event advertisement. (*See, Specification; Page 1, 1st Para.*).

Appellant respectfully submits that the list of target customers is not equivalent to a list of items of the additional information, such as a list of coupons. Moreover, O'Brien is silent regarding displaying the list on the POS system, as required by independent Claim 1. Accordingly, O'Brien cannot be said to teach or suggest the features recited in amended independent Claim 1.

Moreover, O'Brien does not suggest or disclose, "a selection control device for receiving one or more items selected through the display/input device," as required by independent Claim 1.

As discussed above, O'Brien does not teach or suggest a list of items of the additional information displayed on the display/input device. Accordingly, O'Brien also fails teach a suggest a selection control device for receiving one or more items on that list of items selected through the display/input device.

The Office Action cites "preselected product" as disclosing the above feature of amended independent Claim 1. (*See, Office Action; Page 3, lines 6-7; O'Brien, Col. 12, lines 12-23*). Appellant respectfully recites O'Brien's disclosure regarding the cited preselected product below:

"More specifically, the method further comprises the steps of preselecting triggering products, each of which pertains to a condition of a discount deal presently in effect or to be put into effect later, detecting the purchase of triggering products in the customer order, and saving customer purchase data concerning the purchase of triggering products. The step of determining whether the customer's past and present shopping activity satisfies preselected conditions includes reviewing the customer purchase data saved in previous visits to the store." (*See O'Brien; Col. 4, lines 13-22*).

As is evident from the above, the disclosed preselected products are products selected by the store for promotional discount. Appellant notes such preselected products cannot be said to constitute one or more items selected through the display/input device. Accordingly, O'Brien does not teach or suggest a selection control device for receiving one or more items selected through the display/input device, as required by amended independent Claim 1.

Furthermore, O'Brien does not teach or suggest, "wherein in the event selection input waiting time elapses, and there is no selection by the customer, the

selection control device can function to select the additional information from a list of items of the additional information,” as required by independent Claim 1.

As discussed above, O’Brien does not teach or suggest a list of items of the additional information displayed on the display/input device, nor a selection control device for receiving items selected through the display/input device. Accordingly, O’Brien cannot be said to teach or suggest the above feature requiring a selection control device.

Furthermore, O’Brien does not teach or suggest, “a print data generating device for generating print data to be printed on the receipt paper by merging original receipt information according to the payment transaction and the additional information designated by the one or more selected items in the list and sending the merged information to the printing device,” as required by independent Claim 1.

O’Brien is silent regarding a print data generating device for generating print data to be printed on the receipt paper by merging original receipt information according to the payment transaction and the additional information (discount coupon). The Office Action cites O’Brien’s disclosure, “in some point-of-sale systems, printing of cumulative discount certificates may be accomplished without a completely separate printer for that purpose,” as disclosing the above. (*See, Office Action; Page 3, lines 15-16*). Appellant respectfully recites the teaching of O’Brien in this regard below:

“There may be a separate print station for printing the certificates, but the print head may be shared by other printing functions, such as customer receipt printing. In this case, it may be necessary to avoid having the printing of so many discount certificates (and possibly other types of discount coupons) that

other printing functions are precluded. Therefore, the printing of a discount certificate, or of a substantial part of the certificate, can be followed by a request for a time-out, to allow other printing functions to gain access to the printer.” (*See, O’Brien; Col. 7, lines 35-44*).

It is clear from the above that O’Brien separates the function of printing the discount coupon, and other functions such as printing of receipts. Moreover, printing of the discount coupon can be temporarily stopped to allow the printer to print the receipts. Appellant thus respectfully submits that although O’Brien teaches using the same printer for receipts and discount coupons, O’Brien does not teach merging the two. Appellant notes that if the two set of data were merged, then the printing of a discount certificate would not need to be followed by a request for a time-out to allow other printing functions to gain access to the printer, as suggested by O’Brien. Accordingly, O’Brien does not teach or suggest merging of original receipt information and the additional information for generating print data as required by independent Claim 1.

To anticipate a claim, the reference must teach every element of the claim (MPEP 2131).

A claim is anticipated only if each and every element as set forth in the claim is found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Since O’Brien does not disclose, teach, or suggest the above features recited in independent Claim 1, that reference cannot be said to anticipate nor render obvious the invention which is the subject matter of that claim.

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Accordingly, independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

Independent Claim 9 is similarly allowable for at least the same reasons as those disclosed above with reference to independent Claim 1.

The remaining claims depend either directly or indirectly from independent Claims 1 and 9, and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references and are therefore also believed to be in condition for allowance.

The present Brief is submitted herewith in triplicate along with an Appendix containing the appealed claims and the requisite brief fee.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: March 15, 2006

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APPENDIX: CLAIMS 1-20 ON APPEAL

1. (Previously Presented) A receipt printing and issuing system for a payment transaction, the system having input devices for an operator, a printing device, a display device for the operator, and a storage device, the system comprising:

a memory control device for receiving and storing one or more advertisements or other additional information to be printed on a receipt paper, wherein the additional information is information other than the required information;

a display/input device for interacting with a customer;

a control device for generating a list of items of the additional information to be displayed on the display/input device according to a predetermined condition;

a selection control device for receiving one or more items selected through the display/input device,

wherein in the event selection input waiting time elapses, and there is no selection by the customer, the selection control device can function to select the additional information from a list of items of the additional information; and

a print data generating device for generating print data to be printed on the receipt paper by merging original receipt information according to the payment transaction and the additional information designated by the one or more selected items in the list and sending the merged information to the printing device.

2. (Original) A receipt printing and issuing system as described in claim 1, wherein the memory control device receives and stores said additional information input over a network.

3. (Original) A receipt printing and issuing system as described in claim 1, wherein the selection control device selects at least one item of additional information.

4. (Original) A receipt printing and issuing system as described in claim 3, wherein the selection control device automatically reads specific additional information according to a specific rule when a specific time has elapsed.

5. (Original) A receipt printing and issuing system as described in claim 4, wherein the display control device selectively changes the specific condition for generating a list of additional information presented on the display device.

6. (Original) A receipt printing and issuing system as described in claim 3, wherein the print data generating device generates print data by reducing plural items of additional information read by the selection control device to a specific ratio when plural items of additional information are selected.

7. (Original) A receipt printing and issuing system as described in claim 1, wherein the receipt printing and issuing system is a purchase transaction processing system further comprising:

(e) an accounting information control device for registering a product purchase by a customer and outputting accounting information;

said print data generating device generating print data by combining accounting information output by the accounting information control device with the additional information read by the selection control device for printing as a receipt.

8. (Original) A receipt printing and issuing system as described in claim 1, wherein the receipt printing and issuing system is a customer ticket issuing system further comprising:

(f) a queuing number control device for managing queuing numbers and outputting said queuing number as print data;

said print data generating device generating and sending to the printing device print data by combining print data output by the queuing number control device with the additional information read by the selection control device.

9. (Previously Presented) An additional information printing method using a receipt printing and issuing system having an input device, printing device, display device, and storage device for storing advertising or other additional information, and printing said additional information in addition to information for a primary purpose including a payment transaction, said printing method comprising:

(a) displaying a list of printable additional information to a customer including one or more advertisements, wherein the additional information is information other than the required information;

(b) receiving input from the customer selecting additional information including the one or more advertisements included in said displayed list,

wherein in the event selection input waiting time elapses, and there is no selection by the customer, a selection control device can function to select the additional information from a list of items of the additional information;

(c) reading the additional information specified by said input;

(d) generating print data to be printed on receipt paper by merging original receipt information according to the payment transaction and the read additional information designated by the one or more selected items in the list; and

(e) sending the generated print data to the printing device.

10. (Original) An additional information printing method as described in claim 9, further comprising:

(f) extracting additional information satisfying a particular condition from the stored additional information, and generating the additional information list displayed in step (a).

11. (Original) An additional information printing method as described in claim 10, wherein the particular condition in step (f) is selectively changeable.

12. (Original) An additional information printing method as described in claim 9, further comprising:

(g) updating the stored additional information with additional information input by way of a network.

13. (Original) An additional information printing method as described in claim 12, wherein step (b) includes selecting at least one item of additional information.

14. (Original) An additional information printing method as described in claim 9, wherein step (c) includes automatically reading specific additional information according to a specific rule when selection input is not received even after a specific time passes.

15. (Original) An additional information printing method as described in claim 14, wherein step (d) includes generating print data by reducing plural selected items of additional information to a specific ratio when plural items of additional information are selected.

16. (Original) An additional information printing method as described in claim 9, further comprising:

(h) registering a product purchase by a customer and outputting accounting information;

wherein step (d) includes generating print data by combining said accounting information with the selected additional information, and sending the print data to the printing device for printing as a receipt.

17. (Original) An additional information printing method as described in claim 9, further comprising:

(i) managing queuing number output and outputting a queuing number as print data;

wherein step (d) includes generating and sending to the printing device print data by combining said queuing number with the selected additional information.

18. (Original) A computer-readable data storage medium having computer program code embodied therein for implementing an additional information printing method as described in claim 9.

19. (Previously Presented) The receipt printing and issuing system according to claim 1, wherein said control device for generating the list of items of information generates the list of the information satisfying a particular condition related to a customer demographic.

20. (Previously Presented) The additional information printing method according to claim 9, wherein displaying a list of printable additional information to a customer includes displaying a list of items of information to a customer that satisfies a particular condition related to a customer demographic.